



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Elko District Office  
3900 East Idaho Street  
Elko, Nevada 89801

[http://www.blm.gov/nv/st/en/fo/elko\\_field\\_office.html](http://www.blm.gov/nv/st/en/fo/elko_field_office.html)

In Reply Refer To:  
2800 (NVE0200)  
NVN-025353

August 19, 2015

CERTIFIED MAIL 7011 1570 0000 4406 6990 -RETURN RECEIPT REQUESTED

### DECISION

Citizens Telecommunications	:	Right-of-Way Grant
111 W. Front Street	:	NVN-025353
Elko, NV 89801	:	

### COMMUNICATIONS USE LEASE ISSUED

Enclosed is your copy of the Communications Use Lease for a Communication Site with related appurtenances located on Elko Mountain in Elko County, Nevada.

Your lease is effective August 18, 2015 and is granted for 30 years until December 31, 2044, unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of the lease or any other Federal law or regulation.

The advance rental for 2015 has been paid and your next rental date will be January 1, 2016.

The Monitoring fee for this ROW is determined to be a Category 2 which is \$424.00. BLM has received this fee.

Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations in 43 CFR 4.400. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. Within 30 days after you appeal, you are required to provide a Statement of Reasons to the Board of Land Appeals and a copy to the Regional Solicitor's office listed in Item 3 on the form. The appellant has the burden of showing that the decision appealed from is in error.

If you appeal this decision, please provide this office with a copy of your Statement of Reasons. This decision, under the provisions of 43 CFR 2800 constitutes a final decision and remains in full force and effect during an appeal unless the Secretary rules otherwise. Refer to 43 CFR 2801.10 for the requirements for filing a petition for stay.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19,1993) or 43 CFR 2801.10, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by IBLA, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to IBLA and to the appropriate office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof in demonstrating that a stay should be granted.

Standards for obtaining a Stay

Except as otherwise provided for by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If you have any questions please contact Elisabeth Puentes, Realty Specialist, at (775) 753-0294.

/s/ Richard E. Adams

Richard E. Adams  
Field Manager  
Tuscarora Field Office

Enclosure